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Attorneys for Plaintiff and all others Similarly Situated

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

DOREEN E. CHRISTIAN, individually and on behalf of all others similarly situated, Plaintiff, v. AMERICAN STERLING BANK, and DOES 1 through 10 inclusive, Defendants.	**CASE NO. 08-CV-0090 LAB (RBBx)** [*Assigned to the Hon. Larry A. Burns*] CLASS ACTION **DECLARATION OF MARCUS J. JACKSON IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION FOR LEAVE TO TAKE CLASS DISCOVERY**

I, Marcus J. Jackson, declare:

1. I am an active member of the State Bar of California and I am a member of the Bar of this Court. I am one of the attorneys of record for Plaintiff DOREEN E. CHRISTIAN in this action. I have personal knowledge of the matters contained in this declaration and, if called as a witness to testify, I could and would competently testify to them.

2. On January 15, 2008, Plaintiff filed her Class Action Complaint against Defendant AMERICAN STERLING BANK. Thereafter, on February 29, 2008, Plaintiff filed her First Amended Class Action Complaint ("FAC").

3. On March 13, 2008, Plaintiff's FAC was subsequently served on Defendant AMERICAN STERLING BANK at their corporate offices located in Foothill Ranch, California. See Exhibit 1.

4. On May 19, 2008, this Court entered Default against Defendant AMERICAN STERLING BANK.

4. Plaintiff is informed and believes that the Option ARM loans Defendant AMERICAN STERLING BANK sold to Plaintiff and the putative Class members have been either sold or assigned to other persons or entities who may be liable and therefore proper parties to this action pursuant to 15 U.S.C. § 1641 ("Any person who purchases or is otherwise assigned a mortgage . . . shall be subject to all claims and defenses with respect to that mortgage that the consumer could assert against the creditor of the mortgage.")

5. Plaintiff is also informed and believes that current or former officers, directors and/or employees of Defendant AMERICAN STERLING BANK are likely to possess relevant information concerning: (1) the number of Option ARM loans Defendant sold to borrowers during the liability period; (2) the identity and location of such subsequent purchasers and/or assignees of the Option ARM loans Defendant sold during the liability period; and (3) the location of loan documents and other relevant information concerning Defendant's loan practices during the liability period. See www.americansterling.com.

6. Plaintiff is unable to identify the subsequent purchasers and/or assignees of the Option ARM loans sold by Defendant AMERICAN STERLING BANK without conducting formal discovery, including discovery directed at Defendant's current or former officers, executives and employees.

7. Good cause exists to grant Plaintiff leave to conduct discovery from such persons or entities (including current and/or former officers, executives and employees of Defendant) that are likely to have knowledge and information concerning: (1) the number of Option ARM loans Defendant sold to borrowers during the liability period; (2) the identity and location of such subsequent purchasers and/or assignees of the Option ARM loans Defendant sold during the liability period; and (3) the location of loan documents and other relevant information concerning Defendant's loan practices during the liability period.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and was executed in the State of California on May 22, 2008

/s/ Marcus J. Jackson
Marcus J. Jackson, Esq.
Attorney for Plaintiff DOREEN E. CHRISTIAN

Exhibit No. 1

. . and Red Tape . . . **American Sterli**

What We Offer . . .

- Purchase Home Mortgages
- Equity Second Loans
- First-Time Homebuyer Programs
- Refinance Home Mortgages
- Home Equity Lines of Credit
- Fixed and Variable Rate Mortgages

Mortgagee and Loss Payee Clause

American Sterling Bank
It's Successors and/or Assigns
As Their Interest May Appear
PO Box 8500
Sugar Creek, MO 64054

Who We Are . . . What We Do . . .

We are a banking organization that is backed by over 100 years of success. American Sterling Bank was state chartered in 1907. The Mortgage Lending Division was launched in 1984 and is considered one of the strongest assets for future growth. The mortgage industry is taking notice. We have Mortgage Branch Offices in each of the following locations:

- Anthem, Arizona
- Carefree, Arizona
- Scottsdale, Arizona
- Foothill Ranch, California
- Sacramento, California
- San Diego, California
- Greenwood Village, Colorado
- Atlanta, Georgia
- Las Vegas, Nevada
- Portland, Oregon

From corporate offices in Foothill Ranch, California and a management office in Carefree, Arizona, American Sterling Bank lends in 42 states offering a variety of loan products. These products include fixed and variable rate conforming products, First Time Homebuyer products, FHA and VA products and also Jumbo loan programs.

Go to Contact Us to obtain information on the specific locations of our branch offices. We specialize in one-to-four unit conventional mortgage products, providing highly competitive pricing and common sense underwriting. For the size of its asset base, American Sterling Bank is unique in the industry given that it incorporates a large volume mortgage loan origination division as a key facet of its banking services.

Our mortgage team is committed to the use of technology for streamlining mortgage processes. Our automated underwriting, electronic document delivery, and web-enabled pipeline tracking systems all significantly reduce the time and effort required to process and close loans.

The Mortgage Lending Division of American Sterling Bank currently has Account Executives in Arizona, California, Colorado, Georgia, Idaho, Illinois, Louisiana, Maryland, Minnesota, Missouri, Nevada, New Mexico, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin. Service opportunities for experienced Account Executives are now available in many other states. American Sterling Bank strives to provide excellent service; therefore, its operation centers employ highly qualified staff members to assist in getting loans processed and closed. Employees are positive thinking professionals who value integrity and thrive in a culture that is highly collaborative and supportive.

To learn more about how American Sterling Bank's many mortgage programs can help you, go to Contact Us to locate the appropriate branch office in your region. As a company, American Sterling Corporation advocates the strategic acquisition and creation of diversified companies whose synergism can be leveraged to promote business development and financial success.

Corporate Governance

Board of Directors	
John W. Meara	Chairman
Michael D. Thompson	Vice Chairman

Lawrence K. Dodge	**Founding Chairman/Director**
Herbert Kohn	**Director**
Peter Yelorda	**Director**
Nancy Kimak	**Director**
Jimmy P. Mohler	**Director**

Executive Management	
Lawrence K. Dodge	**Chief Executive Officer**
Michael D. Thompson	**Chief Executive Officer; COO**
Brannon Ogburn	**EVP of Mortgage Banking**
Ron Dearden	**EVP of Mortgage Banking, Assistant CFO, Treasurer and Assistant Secretary**

Backgrounds

Lawrence K. Dodge founded American Sterling in 1977. He was previously the Business Development Director for 1st Thrift of America and Regional Director of Business Development for General Acceptance Corporation. He received his Bachelors degree in Business Administration from the University of Maryland.

Michael D. Thompson was involved with the formation of American Sterling and has worked in various positions throughout American Sterling Corporation. He is President and Chairman of American Sterling Corporation and many of it subsidiaries. He is Vice Chairman of American Sterling Bank. Thompson earned a Bachelor of Science degree from Kansas State University.

Ron Dearden was originally Vice President of Finance for American Sterling Corporation and became Chief Financial Officer in 1985. He earned a Bachelors degree in Accounting from California State University, Long Beach.

Brannon Ogburn was Senior Vice President Mortgage Lending at Universal Savings Bank before he joined American Sterling. He has extensive experience in mortgage lending and oversees the sales and operations in all branches of American Sterling Mortgage.

John W. Meara is an outside director on the board of American Sterling Corporation and each of the boards of its subsidiaries. He is owner and CEO of Meara & Associates a public accounting firm located in Kansas City, Missouri. The firm specializes in forensic accounting and business valuations. Mr. Meara is a CPA with extensive public accounting background.

Herbert M. Kohn is an outside director on the Board of American Sterling Bank. He is a partner in the international law firm of Bryan Cave LLP based in the firm's Kansas City, Missouri office. Mr. Kohn is on the Board of Directors of Bernstein-Rein Advertising, Inc., and is Chairman of the Board of Trustees of the Kansas City Art Institute.

Nancy Kimak is an active community liaison through her roles as a Director with American Sterling Bank, Centerpoint Hospital and the Truman Heartland Community Foundation. In recent years, Nancy has received the Independence Chamber of Commerce "Distinguished Service Award," the City of Sugar Creek's "Citizen of the Year," and from the Missouri PTA, their Honorary Life Membership. Her professional career as owner of Kimak's Pest Management Services allows her to serve others and to connect throughout greater Kansas City.

Peter Yelorda is an outside director on the board of American Sterling Bank. He joined Blue Cross and Blue Shield of Kansas City as executive vice president and chief administrative officer in July 1997. Prior to this position, he spent 26 years in public sector employment including State, County and City Government. Before coming to Blue Cross and Blue Shield of Kansas City, Yelorda held the position of Assistant City Manager for the City of Kansas City, Missouri. He is a member of the National Association for the Advancement of Colored People, UMKC Board of Trustees, Urban League, among others. He serves as the chairperson for the Full Employment Council, secretary and treasurer for the Jazz District Redevelopment Corporation, chairman of the TIF Commission and co-chair of the Downtown Economic Stimulus Authority. Yelorda earned a bachelor's degree from Eastern Michigan University and a master's degree from the University of Michigan.

Jimmy P. Mohler is an outside director on the board of American Sterling Bank. She is a Certified Public Accountant, with thirty-five years of professional experience in finance and accounting that includes a decade of experience providing corporate governance, economic development, financial and accounting consulting and teaching to the private sector, to agencies of the U.S. government and to governments in Afghanistan, Argentina, Bosnia, Bulgaria, the Philippines and Uruguay. She has more than a decade of experience with Federal financial institution regulatory agencies that included leadership in board/management, capital, compliance, liquidation, acquisition and reorganization decisions. She also has years of experience as an educator and partner in one of the large CPA firms and with national committee and board leadership in professional and not-for-profit associations. In addition, she has publishing and speaking credits at national and international levels.

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